

**REMARKS**

The specification has been amended to add a priority claim to a parent application. No claims have been amended. Claims 1-27 remain in the application and were previously allowed and pending issuance, prior to Applicants' Petition Under 37 C.F.R. § 1.313 (c) to Withdraw Application From Issuance.

This Amendment adds a claim for priority under 37 C.F.R. § 1.78(a)(3). As recognized in the above-referenced Decision Refusing to Accord Status Under 37 C.F.R. § 1.47(a), "[w]here a claim of priority under 37 C.F.R. § 1.78(a)(3) is not included in the first sentence of the specification or in an ADS but does appear either in the oath or declaration or a transmittal letter filed with the application and the Office notes the claim for priority, no petition [under 37 C.F.R. § 1.78] will be required to accept a late claim for priority." (citing MPEP 201.11 (III)(D) and 66 Federal Register 67087 at 67089 (Dec. 28, 2001).) The Decision further recognizes: "In the present case, the Office noted the claim for priority to Application No. 09/693,398 in the transmittal letter filed with the application, as shown by its inclusion in the original filing receipt." Therefore, it is respectfully submitted that no additional petition is required to permit amendment of the application to add the priority claim, provided that the Petition Under 37 C.F.R. § 1.313 (c) to Withdraw Application From Issuance is granted.

Should there be any additional questions or concerns, the undersigned can be contacted by telephone as indicated below.

Respectfully submitted,

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